

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 10R__**

A RESOLUTION CONCERNING REVIEW OF A REQUEST FOR WAIVER FROM SECTION 2.16.2.d. (COMMUNITY DESIGN PRINCIPLES AND DEVELOPMENT STANDARDS-FENCES AND WALLS) OF THE FREDERICK LAND USE CODE, AND ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE WAIVER REQUEST.

WHEREAS, the Board of Trustees of the Town of Frederick, Colorado, on November 9, 2010, reviewed the application of Frederick West RV Storage, through Todd and Kristen Stanton, PO Box 936, Broomfield, CO 80038, for the waiver from the Frederick Land Use Code of the following real property, to wit:

A portion of **Lot 4, Block 4 Frederick West Business Ctr, Flg 3**, with an address of **7245 Johnson Drive, Frederick, CO 80504**.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, AS FOLLOWS:

Section 1. Findings of Fact. The following findings are made by the Board of Trustees of the Town of Frederick:

- a. The applicant's waiver application and supporting documents are in substantial compliance with *Article 3, Zoning* and *Article 4, Subdivision Regulations*, of the *Frederick Land Use Code*.
- b. The waiver is compatible with adjacent land uses and conforms to the requirements and standards established in *Article 2, Community Design Principals and Dev. Standards*, *Article 3, Zoning*, and *Article 4, Subdivision Regulations*, of the *Frederick Land Use Code*.
- c. The waiver preserves the health, safety, welfare and interest of the citizens of the Town of Frederick, Colorado.
- d. The waiver will not substantially alter the essential character of the neighborhood or district in which the property is located, nor diminish the value, use or enjoyment of adjacent property.
- e. The waiver is the minimum variance that will afford relief and is the least modification possible of the land use provision which is in question.
- f. The practical difficulties or unnecessary hardship of crime occurring on the property are not self-induced by the applicant.

Section 2. Conclusions and Order Approving the Waiver request for Lot 4, Block 4 Frederick West Business Center Filing 3.

- a. The following proposed waiver complies with the applicable portions of the *Frederick Land Use Code*: a waiver from the Frederick Land Use code Section 2.16 2.d. permitting the installation and use of barbed wire mounted atop the existing a six-foot tall solid fence, as the Planning Director has determined that under certain conditions, the security measure can afford the subject property a high level of protection from theft without undue negative effects on the use of neighboring properties.
- b. The waiver approval is subject to the condition that *all barbed wire and associated equipment be turned so that they are inside the entire fence.*
- c. The requested waiver is hereby granted approval, subject to the above conditions and restrictions, contained herein and subject to revocation at the sole discretion of the Board of Trustees following public hearing.

INTRODUCED, READ, PASSED, AND SIGNED THIS 9th DAY OF NOVEMBER, 2010.

ATTEST:

TOWN OF FREDERICK

By _____
Nanette S. Fornof, Town Clerk

By _____
Eric E. Doering, Mayor